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NO. 558 P. 3

Practitioner's Docket No. 1268/4/2

AUG 13

OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lightfoot et al.

Application No.: 09/772,134

Group No.: 1638

Filed: January 29, 2001

Examiner: Kruse, David H.

For: ISOLATED POLYNUCLEOTIDES AND POLYPEPTIDES RELATING TO LOCI
UNDERLYING RESISTANCE TO SOYBEAN CYST NEMATODE AND SOYBEAN
SUDDEN DEATH SYNDROME AND METHODS EMPLOYING SAME

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Commissioner for Patents
P.O. Box 1450
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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed February 13, 2004, finally rejecting Claims 11, 13-15, 17-26, and 71-80.

1. STATUS OF APPLICANT

This application is on behalf of a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
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Cathie H. Turner
(Type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board--page 1 of 2

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01 FC:2253 475.00 DA
02 FC:2401 165.00 DA